

# EXHIBIT 5

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1 UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF NEW YORK  
3 -----x  
4 CORNELL HOLDEN, MIGUEL MEJIA, and  
5 JEFFREY K. REED, on behalf of  
6 themselves and others similarly situated,  
7 Plaintiffs,  
8 -against- 1:17-cv-02192-JGK-RL  
9 THE PORT AUTHORITY OF NEW YORK AND  
10 NEW JERSEY; THE PORT AUTHORITY POLICE  
11 DEPARTMENT; and MICHAEL OPROMALLA,  
12 SHAUN KEHOE, JOHN TONE, JORDAN ESPOSITO,  
MICHAEL DEMARTINO, RICHARD AYLMER and  
OFFICERS JOHN DOE 1-100, sued in their  
individual capacities as officers of  
the Port Authority Police Department,

## Defendants.

October 29, 2018

10:28 a.m.

18 Videotaped Deposition of VIJAY  
19 SEETARAM, taken by Plaintiffs, pursuant  
20 to Notice, at the offices of Winston &  
21 Strawn LLP, 200 Park Avenue, New York,  
22 New York, before ERIC J. FINZ, a  
23 Shorthand Reporter and Notary Public  
24 within and for the State of New York.

<p>1 2 APPEARANCES: 3 WINSTON &amp; STRAWN LLP Attorneys for Plaintiffs 4 200 Park Avenue New York, New York 10166 5 6 BY: CESIE C. ALVAREZ, ESQ. (calvarez@winston.com) 7 MICHELLE TUMA, ESQ. (mtuma@winston.com) 8 -AND- 9 LEGAL AID SOCIETY 199 Water Street 10 New York, New York 10038 11 BY: CYNTHIA CONTI-COOK, ESQ. (ccanti-cook@legal-aid.org)</p> <p>12 13 THE PORT AUTHORITY OF NEW YORK AND 14 NEW JERSEY 15 Attorneys for Defendants 15 150 Greenwich Street New York, New York 10006 16 17 BY: KATHLEEN GILL MILLER, ESQ.</p> <p>18 19 ALSO PRESENT: 20 21 BENJAMIN RUTKIN-BECKER 22 DEVERELL WRITE, Videographer 23 24 25</p>	<p>Page 2</p> <p>1 VIJAY SEETARAM 2 THE VIDEOGRAPHER: We are 3 going on the record at 10:28 a.m. 4 on October 29, 2018. 5 Please note that the 6 microphones are sensitive and may 7 pick up whispering and private 8 conversations. Please place all 9 cell phones away from the 10 microphones as they can interfere 11 with the deposition audit crow. 12 Audio and video recording will 13 continue to take place unless all 14 parties agree to go off the record. 15 This is media unit 1 of the 16 video recorded deposition of Vijay 17 Seetaram, taken by counsel for the 18 plaintiff, in the matter of Cornell 19 Holden, et al., versus The Port 20 Authority of New York and New 21 Jersey, et al. This case is filed 22 in the U.S. District Court, for the 23 Southern District of New York. 24 We are here at the offices of 25 Winston &amp; Strawn, located at 200</p>
<p>1 2 IT IS HEREBY STIPULATED AND 3 AGREED by and between the attorneys for 4 the respective parties herein that filing 5 and sealing be and the same are hereby 6 waived. 7 IT IS FURTHER STIPULATED AND 8 AGREED that all objections, except as to 9 the form of the question, shall be 10 reserved to the time of the trial. 11 IT IS FURTHER STIPULATED AND 12 AGREED that the within deposition may be 13 signed and sworn to before any officer 14 authorized to administer an oath with the 15 same force and effect as if signed and 16 sworn to before the Court. 17 18 19 20 21 22 23 24 25</p>	<p>Page 3</p> <p>1 VIJAY SEETARAM 2 Park Avenue, New York, New York. 3 My name is Deverell Write 4 representing Veritext Legal 5 Solutions. The court reporter is 6 Eric Finz from Veritext Legal 7 Solutions. 8 I'm not authorized to 9 administer an oath, I'm not related 10 to any party in this action, nor am 11 I financially interested in the 12 outcome. 13 At this time will counsel 14 state their appearances and 15 affiliation for the record. 16 MS. CONTI-COOK: On behalf of 17 Cornell Holden and Miguel Mejia 18 from Legal Said Society. 19 THE WITNESS: Good morning. 20 MS. ALVAREZ: My name is Cesie 21 Alvarez, from Winston &amp; Strawn on 22 behalf of plaintiffs. 23 MS. TUMA: On behalf of 24 plaintiffs, I'm Michelle Tuma with 25 Winston &amp; Strawn.</p>

<p>1 VIJAY SEETARAM      2 Q. And when did your application      3 become complete?      4 A. That would be appointment, so      5 appointment was, I started at the Police      6 Academy in August of 2013.      7 Q. When you were in the military,      8 were you ever disciplined?      9 A. No.      10 Q. You had honorable discharge?      11 A. Yes.      12 Q. Have you been discharged?      13 A. Yes, 2014.      14 Q. And between 2009 and 2013 when      15 you were in the reserves, were you ever      16 deployed again?      17 A. Not in combat theater, no.      18 Q. But where?      19 A. Africa.      20 Q. What was the deployment in      21 Africa?      22 A. It was a mission to help build      23 schools.      24 Q. How long was that?      25 A. 45 days or so.</p>	<p style="text-align: right;">Page 22</p> <p>1 VIJAY SEETARAM      2 Q. You said that there is 200      3 people who started. Did people drop out      4 as the program progressed?      5 A. Yes.      6 MS. MILLER: Objection.      7 You may answer.      8 A. Yes.      9 Q. About how many people dropped      10 out?      11 A. That I do not know.      12 Q. What did your training at the      13 Police Academy consist of?      14 A. Considered of the people law      15 of New York and New Jersey, constitution,      16 physical fitness, rifle -- pistol      17 shooting, swimming. Emergency medical      18 response.      19 Q. Did any portion of the      20 training instruct you on how to conduct      21 yourself in plainclothes?      22 A. In the Police Academy?      23 Q. Yeah.      24 A. No.      25 Q. Did any portion of the</p>
<p>1 VIJAY SEETARAM      2 Q. And you began the Police      3 Academy in August 2013. Is that correct?      4 A. Yes.      5 Q. And how long is the Police      6 Academy training program?      7 A. Five and a half months.      8 Q. Did you get to know Officer      9 Opronmalla in that time period?      10 A. No, ma'am.      11 Q. Did you get to know Officer      12 John Tone in that time period?      13 A. No, ma'am.      14 Q. Were they in that training      15 program with you?      16 A. They were my classmates, so      17 they would have to be, yes.      18 Q. You didn't interact with them      19 as classmates?      20 A. No, ma'am.      21 Q. How many people were in that      22 class?      23 A. I think it started at about      24 200, but I'm not sure how many total      25 applicants that were in that class.</p>	<p style="text-align: right;">Page 23</p> <p>1 VIJAY SEETARAM      2 training cover constitutional rights?      3 A. Yes.      4 Q. In what aspects?      5 MS. MILLER: Objection.      6 You may answer.      7 A. Just a rundown of the      8 amendments of the constitution and what      9 the constitution is. What's covered      10 under the law.      11 Q. Did it cover the limitations      12 of policing under the constitution?      13 MS. MILLER: Objection.      14 You may answer.      15 A. Yes.      16 Q. In what way?      17 A. I mean, what you can and      18 cannot do as a police officer. Everyone      19 has their rights, you can't go against      20 them.      21 Q. Okay. Can you give me an      22 example?      23 MS. MILLER: Objection.      24 You may answer.      25 A. Example of what, breaking the</p>

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<p>1 VIJAY SEETARAM 2 constitution? 3 Q. Yeah. 4 A. I take my firearm out and 5 shoot into a crowd without any cause or 6 alarm. 7 Q. Were you given any training at 8 the Police Academy regarding 9 discrimination? 10 A. Yes. 11 Q. Can you describe it? 12 A. Just treat everyone neutral. 13 Q. Did it give you any training 14 on how to be aware of your own internal 15 biases that you may not initially be 16 aware of? 17 MS. MILLER: Objection. 18 You may answer. 19 A. I'm a little confused what 20 you're asking me. If they gave me any 21 training on how to not be biased? 22 MS. MILLER: Excuse me. If 23 you don't understand the question, 24 just say I don't understand the 25 question.</p>	<p>Page 26</p> <p>1 VIJAY SEETARAM 2 A. Police officer at The Port 3 Authority Bus Terminal. 4 Q. And how long was that your 5 position? 6 A. It's my current position as 7 well. 8 Q. Okay. So that's been your 9 position since January 2014? 10 A. Yes, ma'am. 11 Q. Have you applied for any 12 promotions? 13 A. No, ma'am. 14 Q. Are you eligible to apply for 15 promotions yet? 16 A. No, ma'am. 17 Q. When will you be eligible? 18 A. Whenever the next rotation of 19 promotions come out. 20 Q. And do you plan to apply for a 21 promotion? 22 MS. MILLER: Objection. 23 You may answer. 24 A. Yes, ma'am. 25 Q. And what promotion do you plan</p>
<p>1 VIJAY SEETARAM 2 Q. Yes, that's what I'm asking. 3 A. Can you repeat that, I'm 4 sorry? 5 Q. Sure. 6 Did they give you any training 7 on how to not be biased? 8 A. How to not be biased? No. 9 MS. MILLER: Objection. 10 You may answer. 11 Q. Were you trained on how to 12 make arrests at the Police Academy? 13 A. Yes. 14 Q. Were you trained on how to 15 articulate probable cause? 16 A. Yes. 17 Q. Were you trained on how to 18 testify? 19 A. No. 20 Q. When did you graduate from the 21 Police Academy? 22 A. January 2014. 23 Q. And what was your first 24 position at the police department of The 25 Port Authority?</p>	<p>Page 27</p> <p>1 VIJAY SEETARAM 2 to apply for? 3 A. Sergeant's test when it comes 4 out. 5 Q. When you were assigned to the 6 Port Authority Bus Terminal, was there a 7 location that you were primarily 8 responsible for? 9 A. Every day you have an 10 assignment. So given the day, the 11 assignment changes where your 12 responsibility is. 13 Q. Did you get any training after 14 you left the Police Academy? 15 A. Yes, ma'am. 16 Q. What type of training? 17 A. On job training. 18 Q. What does that mean? 19 A. It means you go throughout the 20 patrol with senior officers to learn how 21 to interact with the building, common 22 problem areas. 23 Q. How often does the on-the-job 24 training occur? 25 A. Every day you will have senior</p>

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<p>1 VIJAY SEETARAM 2 officers assigned to you. 3 Q. Every day since January 2014 4 you've been assigned to work next to 5 senior officers? 6 MS. MILLER: Objection. 7 You may answer. 8 A. No, after about six months you 9 start. 10 Q. So every day for about six 11 months after you leave the academy? 12 MS. MILLER: Objection. 13 You may answer. 14 A. After you leave the academy, 15 you have your on job training, where 16 you're actively working. And then about 17 six months you start getting your own 18 post. And you could still call for 19 additional units to ask for any questions 20 you may have. 21 Q. In the six months following 22 your assignment to The Port Authority Bus 23 Terminal, what senior officers did you 24 work with? 25 A. Officer Vincent Caruso,</p>	<p>Page 30</p> <p>1 VIJAY SEETARAM 2 bathrooms? 3 A. Not particularly. Just an 4 area in the building. 5 Q. What do you mean just an area 6 in the building? 7 A. They covered the entire 8 building. So they never took me to a 9 particular place. 10 Q. They never took you to a 11 particular place to describe certain 12 types of conditions? 13 A. No. 14 Q. Did the senior officers during 15 the on-the-job training do any training 16 on plainclothes policing? 17 A. Yes. 18 Q. What type of training? 19 A. How to wear your gear, 20 tactics. 21 Q. And how is plainclothes 22 policing gear or tactics different than 23 when you're in uniform? 24 A. In uniform you're in full 25 uniform, you're already identified as a</p>
<p>1 VIJAY SEETARAM 2 Officer Fairbanks, it changed every day. 3 Officer Tommy Campbell, Officer Chris 4 Howe. 5 Q. Anyone else? 6 A. Every day I had a different 7 officer. These are the ones that come to 8 the top of my head. 9 Q. Were they senior officers or 10 sergeants? 11 A. Senior officers. 12 Q. So they were police officers 13 as well? 14 A. Yes, ma'am. 15 Q. Did you also receive 16 on-the-job training from any sergeants? 17 A. No, ma'am. 18 Q. And what type of areas in the 19 building did the senior officers take you 20 to do on-the-job training? 21 MS. MILLER: Objection. 22 You may answer. 23 A. The entire building. And the 24 surrounding premises. 25 Q. Did they take you to the men's</p>	<p>Page 31</p> <p>1 VIJAY SEETARAM 2 police officer. In plainclothes I'm 3 walking around like this, you would have 4 no idea I'm a police officer. 5 Identifying yourself, how to get to all 6 your equipment, because that belt is not 7 around you. Those are the kind of 8 tactics and training they would give us. 9 Q. Did they give you any training 10 on how to conduct yourself in 11 plainclothes in relation to the privacy 12 of patrons at The Port Authority Bus 13 Terminal? 14 MS. MILLER: Objection. 15 You may answer. 16 A. No, ma'am. 17 Q. The relevant time period for 18 this litigation is 2014 through 2017. So 19 unless I say otherwise, most of my 20 questions will be about this time period. 21 Okay? 22 A. Yes, ma'am. 23 Q. During this time period, were 24 you an officer at The Port Authority Bus 25 Terminal?</p>

<p>1 VIJAY SEETARAM      2 Q. How many of those are      3 misdemeanors?      4 A. I don't know. I would have to      5 look.      6 Q. Do you know if you've mostly      7 made arrests for misdemeanors or      8 felonies?      9 A. No, I don't.      10 Q. How many arrests did you make      11 in your first year as a police officer at      12 Port Authority?      13 A. I don't recall. I'd have to      14 look at the numbers.      15 Q. How many arrests have you made      16 in the past year?      17 A. 2017?      18 Q. Sure.      19 A. '18?      20 Q. 2018.      21 A. Ten.      22 Q. Do you know how many you made      23 in 2017?      24 A. No, ma'am.      25 Q. How many of your arrests were</p>	<p>Page 46</p> <p>1 VIJAY SEETARAM      2 A. Because it's a common area for      3 any kind of crime to occur. Just like      4 anywhere else in the building.      5 Q. Just like women's restrooms?      6 A. Yes.      7 Q. Would you go into women's      8 restrooms when you were on plainclothes      9 patrol?      10 A. No. In plainclothes I would      11 have to announce myself as a police      12 officer, walk in. In uniform, yes, I      13 would go into women's restrooms.      14 Q. I see. When you were in      15 plainclothes you would go into women's      16 restrooms but announce yourself first?      17 A. Yes.      18 Q. And when you were in uniform      19 you would just walk into women's      20 restrooms?      21 A. Because I'm in uniform.      22 Q. You wouldn't announce yourself      23 first?      24 A. Police coming in.      25 Plainclothes it's kind of</p>
<p>1 VIJAY SEETARAM      2 for public lewdness?      3 A. I don't recall, ma'am.      4 Q. Was the majority of the      5 arrests that you've made for public      6 lewdness?      7 A. Not to my knowledge, ma'am.      8 Q. In 2014, was the majority of      9 the arrests that you made for public      10 lewdness?      11 A. I don't recall. I'd have to      12 look at the arrests for 2014.      13 Q. How were you trained to patrol      14 the men's bathrooms in plainclothes?      15 A. There was no different      16 training. The men's bathroom or a      17 hallway or anything, it's the same type      18 of patrolling. There is no specialty      19 training for those areas.      20 Q. When you would patrol in this      21 plainclothes, would you typically go      22 inside of the men's restrooms?      23 A. In plainclothes or uniform I      24 would go into the men's restrooms.      25 Q. Why?</p>	<p>Page 47</p> <p>1 VIJAY SEETARAM      2 counterproductive to do that.      3 Q. How often would you walk into      4 women's restrooms in plainclothes?      5 A. As often as I'd walk into a      6 men's restroom, but announce.      7 Q. And when you walked into men's      8 restrooms in plainclothes, what actions      9 did you take to patrol the bathrooms?      10 A. I'd stand by the sink and just      11 look around, maybe sure nobody is      12 screaming or yelling or anything unusual      13 going on. And I'd walk out.      14 Q. And other than people      15 screaming or yelling, was there anything      16 else that qualified as being unusual?      17 A. Yes.      18 Q. Like what?      19 A. People snorting cocaine, by a      20 sink. Or people, a lot of arguments      21 happen in there.      22 Q. And how many times did you      23 arrest people for standing at the urinals      24 masturbating in men's bathrooms?      25 A. I'd have to look at the</p>

<p style="text-align: right;">Page 62</p> <p>1 VIJAY SEETARAM      2 Q. And how many movements would      3 make you suspicious?      4 A. If I saw somebody's arm moving      5 back and forth vigorously, it would make      6 me curious.      7 Q. And for how long would you      8 have to observe such vigorous movements      9 before you would decide you needed to get      10 a closer look?      11 A. About two minutes.      12 Q. So you would stand in the      13 bathroom and watch someone at a urinal      14 for as many as two minutes before      15 approaching them for a closer look?      16 A. At the sink, yes.      17 Q. And how would you maintain      18 your cover for two minutes as a      19 plainclothes officer?      20 A. There is no need to maintain      21 cover if I'm not in uniform.      22 Q. So standing at a sink in the      23 men's restroom watching another patron at      24 a urinal doesn't reveal your cover as a      25 plainclothes police officer?</p>	<p style="text-align: right;">Page 64</p> <p>1 VIJAY SEETARAM      2 to the gentleman to see if he was      3 masturbating with an erection.      4 Q. And when you did that, have      5 you ever tried to make eye contact with      6 that gentleman?      7 A. No.      8 Q. And have you ever exposed      9 yourself in order to entice action from      10 that gentleman?      11 A. No, ma'am.      12 Q. Have you ever exposed yourself      13 in a public bathroom before?      14 A. No, ma'am.      15 Q. In order to entice a man to      16 expose himself, have you ever taken any      17 actions as a plainclothes police officer?      18 A. No, ma'am.      19 Q. Do you know of any officers      20 who have ever walked into the bathroom      21 and specifically tried to make      22 observations from urinals?      23 A. No, ma'am.      24 Q. Do you know of any officers      25 who have walked into bathrooms and</p>
<p style="text-align: right;">Page 63</p> <p>1 VIJAY SEETARAM      2 MS. MILLER: Objection.      3 You may answer.      4 A. I don't -- I can't speak for      5 everyone else in the restroom. But me      6 personally, a gentleman standing at the      7 sink, it's a gentleman standing at the      8 sink.      9 Q. Would you pretend to use the      10 sink?      11 A. No.      12 Q. Would you use the -- was there      13 a mirror on top of the sink?      14 A. Yes.      15 Q. Would you use the mirror to      16 make observations at the urinals?      17 A. No.      18 Q. And so after ten minutes you      19 would -- sorry. I misspoke.      20 After two minutes of making      21 observations is when you would decide to      22 get a closer look to confirm whether a      23 man was fully erect. How would you do      24 that?      25 A. After that I would walk closer</p>	<p style="text-align: right;">Page 65</p> <p>1 VIJAY SEETARAM      2 specifically taken any actions to entice      3 men to expose themselves?      4 A. No, ma'am.      5 Q. Were you ever trained to act      6 differently in any way in plainclothes      7 versus uniform?      8 A. No.      9 Q. Were you ever told that      10 wearing plainclothes can be advantageous      11 for making arrests because you are more      12 likely to observe crime happening?      13 A. Sorry, can you define      14 "advantageous"?</p> <p>15 Q. That assist more likely people      16 will commit crime in front of you not      17 knowing you are a police officer.</p> <p>18 A. Have I ever been told that      19 you're asking?</p> <p>20 Q. Yeah.</p> <p>21 A. No.</p> <p>22 Q. Have you ever been told that      23 you were being deployed in plainclothes      24 because people don't recognize you?</p> <p>25 A. No.</p>

<p>1 VIJAY SEETARAM      2 You may answer.      3 A. No, there is no physical      4 evidence collected.      5 Q. Would you describe public      6 lewdness as a quality of life crime?      7 A. No.      8 Q. Why not?      9 MS. MILLER: Objection.      10 You may answer.      11 A. Quality of life is more like      12 hustlers and trespass, things of that      13 nature. Like solicitors. Not      14 necessarily public lewdness.      15 Q. Did you ever participate in      16 quality of life sweeps while you were at      17 The Port Authority Police Department?      18 A. No, ma'am.      19 Q. Do you know what a quality of      20 life sweep is?      21 A. No.      22 Q. Have you ever heard of the      23 term "sweep" in the context of policing?      24 A. No, ma'am.      25 Q. As you sit here today, do you</p>	<p>Page 94</p> <p>1 VIJAY SEETARAM      2 You may answer.      3 A. No, they could be anybody.      4 Q. Do you know who Officer      5 Michael Opronalla is?      6 MS. MILLER: Objection.      7 You may answer.      8 A. Yes, ma'am.      9 Q. How do you know him?      10 A. He's a co-worker.      11 Q. How long has he been your      12 co-worker?      13 A. Two years, three years.      14 Q. And he was also a classmate of      15 yours in 2013. Is that right?      16 A. Yes.      17 Q. You didn't know him then?      18 A. No, ma'am.      19 Q. You never interacted with him      20 prior to 2014?      21 A. No, prior to that, no.      22 Q. And when did you get to know      23 Mr. Opronalla?      24 A. I don't really know him that      25 well. We're opposites. In terms of work</p>
<p>1 VIJAY SEETARAM      2 recall arresting a man name Marcos      3 Polonia?      4 A. No, ma'am.      5 Q. Do you remember making an      6 increased number of arrests for public      7 lewdness in August 2014?      8 A. No, ma'am.      9 Q. Was public lewdness in      10 bathrooms particularly by men who were      11 masturbating at urinals more prevalent in      12 2014?      13 A. I couldn't say.      14 Q. Some crimes are particularly      15 seasonal in nature. Is public lewdness a      16 crime that happens at one time of year      17 more often than another?      18 MS. MILLER: Objection.      19 You may answer.      20 A. I couldn't attest to that or      21 say anything on that.      22 Q. Do you get the impression that      23 the men you arrest for public lewdness      24 are commuters?      25 MS. MILLER: Objection.</p>	<p>Page 95</p> <p>1 VIJAY SEETARAM      2 time.      3 Q. Could you tell me what you      4 mean by that?      5 A. I traditionally work the      6 afternoons, he didn't.      7 Q. Did your shifts overlap at      8 all?      9 A. Not really, no.      10 Q. How many times did you      11 interact with Officer Opronalla in 2014?      12 MS. MILLER: Objection.      13 You may answer.      14 A. I have zero idea how many      15 times I talked to him or...      16 Q. Did you talk to him at all in      17 2014?      18 A. Hi, bye, yes, how you doing.      19 Q. Did you ever socialize with      20 Mr. Opronalla in 2014?      21 A. No.      22 Q. Have you ever socialized with      23 Mr. Opronalla?      24 A. No.      25 Q. He was also assigned to the</p>

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<p style="text-align: right;">Page 158</p> <p>1 VIJAY SEETARAM      2 Q. And what was the date of this      3 arrest?      4 A. August 7, 2014.      5 Q. So the same day as the arrest      6 that we just reviewed?      7 A. Yes, ma'am.      8 Q. And what time was this arrest?      9 A. 19:20.      10 Q. So is that about three hours      11 later?      12 A. From?      13 Q. Sorry. From the last arrest.      14 A. Yes, ma'am.      15 Q. And pointing your attention to      16 2669. Can you read the first two      17 sentences of the narrative into the      18 record, please, slowly for our court      19 reporter.      20 A. "At the time and place of      21 occurrence, undersigned officer was      22 assigned to plainclothes unit. During a      23 patrol of the men's restroom on the      24 second floor, undersigned officer      25 observed suspect manipulate his naked</p>	<p style="text-align: right;">Page 160</p> <p>1 VIJAY SEETARAM      2 A. No.      3 Q. Have you ever in the context      4 of making one of these arrests asked one      5 of the other patrons if they could see      6 the man that you believed was      7 masturbating at the urinal?      8 MS. MILLER: Objection.      9 You may answer.      10 A. No, ma'am.      11 Q. You can put that aside.      12 (Seetaram Exhibit 6 for      13 identification, arrest file,      14 production numbers PA 2700 through      15 PA 2717.)      16 BY MS. CONTI-COOK:      17 Q. I'm going to hand you what's      18 been marked as Exhibit 6.      19 MS. CONTI-COOK: It is      20 continuously Bates stamped 2700      21 through 2717.      22 We can go off the record while      23 you review.      24 THE VIDEOGRAPHER: The time on      25 the video monitor is 2:22 p.m., we</p>
<p style="text-align: right;">Page 159</p> <p>1 VIJAY SEETARAM      2 erect penis in a back and forth motion in      3 full public view while observing other      4 patrons."      5 Q. For all of the arrests that      6 we've described so far, were you in      7 plainclothes?      8 A. Yes.      9 Q. And what does "while observing      10 other patrons" mean?      11 A. It means he was looking around      12 the bathroom.      13 Q. Does it mean that he was      14 specifically trying to make eye contact      15 with other patrons?      16 MS. MILLER: Objection.      17 You may answer.      18 A. I can't attest to what he was      19 trying to do.      20 Q. From this factual narrative      21 can you tell which direction this man was      22 facing when he was allegedly masturbating      23 in a urinal?      24 MS. MILLER: Objection.      25 You may answer.</p>	<p style="text-align: right;">Page 161</p> <p>1 VIJAY SEETARAM      2 off the record.      3 (Discussion off the record.)      4 THE VIDEOGRAPHER: We are back      5 on the record. The time on the      6 video monitor is 2:23 p.m.      7 BY MS. CONTI-COOK:      8 Q. Have you had a chance to      9 review Exhibit 6?      10 A. Yes, ma'am.      11 Q. What was the date and time of      12 this arrest?      13 A. The date is 8/8/2014. The      14 time, 16:55.      15 Q. What would you consider rush      16 hour in the afternoon to be at The Port      17 Authority Bus Terminal?      18 A. Anywhere from 14 to 2000.      19 Q. And in your experience, does      20 public lewdness happen more often at the      21 Bus Terminal during those hours than at      22 less busy times?      23 MS. MILLER: Objection.      24 You may answer.      25 A. I don't think there is any</p>